Reservation of SCs/STs at Higher Rung of Class-I Services

2073. VEN'BLE DHAMMAVIRIYO: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that at present reservation in appointments and posts for the persons belonging to SCs/STs is restricted to the lowest rung of the Class-I services only;

(b) if so, the reasons therefor;

(c) when and under what circumstances this restriction was imposed and what was the practice before imposition of this restriction; and

(d) the reasons for not providing reservation in promotions in all the grades/classes of services (i.e. higher rungs of Class-I services) as provided under Art. 16(4)(A) of the Constitution?

THE MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) to (c) Reservation for SCs and STs is available in all Group 'A' (Class-I) posts which are filled up by direct recruitment and by non-selection method of promotion. Reservation in promotion within Group 'A' posts filled by selection method has never been available.

(d) As a consequence of the insertion of Art 16(4A), the system of reservation in promotion, as in vogue earlier, has been extended beyond 15.11.97 through OM dated 13.8.97. The validity of Art 16(4A) has also been challenged before the Supreme Court and the matter is subjudice.

Legislation for forfeiture of ill-gotten money

2074. SHRI GHULAM NABI AZAD: Will the PRIME MINISTER be pleased to state:

(a) whether the Law Commission had recommended for enacting a legislation enabling the forfeiture of ill-gotten properties of the persons found to be corrupt;

(b) whether Government have examined the recommendations; and

(c) if so, when the recommendations was made and the reasons for not taking any action thereon?

THE MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) to (c) The Law Commission *vide* its 166th Report, submitted on 5th February, 1999, recommended enacting a legislation titled "The Corrupt Public Servants (Forfeiture of Property) Act, 1999" for forfeiture of ill-gotten properties. The Report has been examined and it has been felt by the legal experts and the Department of Legal Affairs, that enactment of a separate legislation for confiscating the illegally acquired assets of public servants may not be the solution of the problem. It would be more appropriate to strengthen the anti-corruption law by plugging the loopholes as well as by amending the Prevention of Corruption Act, 1988 suitably to make it more deterrent to achieve the objective. The matter has been taken up with the Department of Legal Affairs.

Delhi High Court's Stricture on Working of C.V.C.

2075. SHRI AMAR SINGH:
SHRI GOPALSINH G. SOLANKI:

Will the PRIME MINISTER be pleased to state:

(a) whether the Delhi High Court has passed serious strictures on working of the Central Vigilance Commission;

(b) if so, the details thereof; and

(c) the action taken by Government to improve working of the Central Vigilance Commission?

THE MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) to (c) According to the information furnished by the Central Vigilance Commission (CVC), the Ld. Single Judge of the Delhi High Court in his judgement dated 28.07.1999 in CWP No. 3376 of 1998, while quashing the chargesheet served on a former CMD of a Public Sector